

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 336

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HINSON (Sponsor), MONTECILLO, HOUGH,
ENGLISH AND NETH (Co-sponsors).

1220H.01P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 84.830, RSMo, and to enact in lieu thereof two new sections relating to first responder political activity, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 84.830, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 67.145 and 84.830, to read as follows:

67.145. No political subdivision of this state shall prohibit any first responder, as the term “first responder” is defined in section 192.800, from engaging in any political activity while off duty and not in uniform, being a candidate for elected or appointed public office, or holding such office unless such political activity or candidacy is otherwise prohibited by state or federal law.

84.830. 1. [No person shall solicit orally, or by letter or otherwise, or shall be in any manner concerned in soliciting, any assessment, contribution, or payment for any political purpose whatsoever from any officer or employee in the service of the police department for such cities or from members of the said police board.] No officer, agent, or employee of the police department of such cities shall permit any [such] solicitation **for political purpose** in any building or room occupied for the discharge of the official duties of the said department. [No officer or employee in the service of said police department shall directly or indirectly give, pay, lend, or contribute any part of his salary or compensation or any money or other valuable thing to any person on account of, or to be applied to, the promotion of any political party, political club, or any political purpose whatever.]

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

11 2. No officer or employee of said department shall promote, remove, or reduce any other
12 official or employee, or promise or threaten to do so, for withholding or refusing to make any
13 contribution for any political party or purpose or club, or for refusal to render any political
14 service, and shall not directly or indirectly attempt to coerce, command, or advise any other
15 officer or employee to make any such contribution or render any such service. No officer or
16 employee in the service of said department or member of the police board shall use his official
17 authority or influence for the purpose of interfering with any election or any nomination for
18 office, or affecting the result thereof. No officer or employee of such department shall [be a
19 member or official of any committee of any political party, or be a ward committeeman or
20 committeewoman, nor shall any such officer or employee] solicit any person to vote for or
21 against any candidate for public office, or "poll precincts" or be connected with other political
22 work of similar character on behalf of any political organization, party, or candidate **while on**
23 **duty or while wearing the official uniform of the department.** All such persons shall,
24 however, retain the right to vote as they may choose and to express their opinions on all political
25 subjects and candidates.

26 3. No person or officer or employee of said department shall affix any sign, bumper
27 sticker or other device to any property or vehicle under the control of said department which
28 either supports or opposes any ballot measure or political candidate.

29 4. No question in any examination shall relate to political or religious opinions or
30 affiliations, and no appointment, transfer, layoff, promotion, reduction, suspension, or removal
31 shall be affected by such opinions or affiliations.

32 5. No person shall make false statement, certification, mark, rating, or report with regard
33 to any tests, certificate, or appointment made under any provision of sections 84.350 to 84.860
34 or in any manner commit or attempt to commit any fraud preventing the impartial execution of
35 this section or any provision thereof.

36 6. No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any
37 money, service, or other valuable consideration for or on account of any appointment, proposed
38 appointment, promotion to, or any advancement in, a position in the service of the police
39 departments of such cities.

40 7. No person shall defeat, deceive, or obstruct any person in his right to examination,
41 eligibility, certification, appointment or promotion under sections 84.350 to 84.860, or furnish
42 to any person any such secret information for the purpose of affecting the right or prospects of
43 any person with respect to employment in the police departments of such cities.

44 8. Any officer or any employee of the police department of such cities who shall be
45 found by the board to have violated any of the provisions of this section shall be discharged
46 forthwith from said service. It shall be the duty of the chief of police to prefer charges against

47 any such offending person at once. Any member of the board or of the common council of such
48 cities may bring suit to restrain payment of compensation to any such offending officer or
49 employee and, as an additional remedy, any such member of the board or of the common council
50 of such cities may also apply to the circuit court for a writ of mandamus to compel the dismissal
51 of such offending officer or employee. Officers or employees discharged by such mandamus
52 shall have no right of review before the police board. Any person dismissed or convicted under
53 this section shall, for a period of five years, be ineligible for appointment to any position in the
54 service of the police department of such cities or the municipal government of such cities. Any
55 persons who shall willfully or through culpable negligence violate any of the provisions of this
56 section may, upon conviction thereof, be punished by a fine of not less than fifty dollars and not
57 exceeding five hundred dollars, or by imprisonment for a time not exceeding six months, or by
58 both such fine and imprisonment.

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